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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,809	07/05/2001	Andrew Sullo	EZCD:002US	9653

7590 09/07/2004

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TX 78701

EXAMINER

BASEHOAR, ADAM L

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/899,809

Applicant(s)

SULLO ET AL.

Examiner

Adam L Basehoar

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ¶
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 02/26/02 ¶
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: The Application filed on 07/05/01 which claims priority to provisional application 60215955 filed on 07/05/00.

2. Claims 1-27 are pending in the case. Claims 1, 8, 14, and 22 are an independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 & 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Witek et al (6,253,188 06/26/01)(Hereafter Witek).

-In regard to independent claim 1, Witek teaches a system for selecting online classified ads comprising:

a graphical user interface (Fig. 1: 22) coupled to a network (Fig. 1: 14) including the information located at a network address (Fig. 1: 12 & 16), the user interface begin configured to receive a request (i.e. classified ad selection)(Fig. 8-10) from a remote user (Fig. 1: 22), the request including an text input identifier (column 29, lines 28-34)(Fig. 10: 148); and

a server coupled to the network (Fig. 1: 16 & 14) and configured to:

- receive the request (Fig. 7: 112);
- correlate the identifier with the address (Fig. 7: 120);
- display the address corresponding to the identifier (i.e. as displayed in the user's browser along with the returned advertisement results set)(column 46, lines 15-24) and providing linking to the information using the address to view the classified ad via the browser.

Witek does not teach wherein the identifier was from a print medium. It would have been obvious to one of ordinary skill in the art at the time of the invention, for the remote user to have received the identifier from a print media source, because Witek teaches that print media for classified ads have long been the average person's first stop in attempting to satisfy their buying or selling needs, as well as providing the most economical and efficient way of letting others know what one has to offer (column 1, lines 24-38).

-In regard to dependent claims 2 and 9, Witek teaches wherein the network was the Internet (column 5, lines 20-25).

-In regard to dependent claims 3 and 10, Witek teaches wherein the network was a local area network (column 5, lines 20-25).

-In regard to dependent claim 4, Witek teaches wherein the user interface was a web page (column 23, lines 5-22)(Fig. 6: 106).

-In regard to independent claim 8, Witek teaches a method and computer readable medium for selecting online classified ads comprising:

assigning a record identifier (column 6, lines 57-59) to a URL address (defined by the newspaper website server URL)(column 22, lines 15-44);

providing an online query field (Fig. 10: 148) configured to receive text input (column 29, lines 28-34) from a remote user (Fig. 1: 22); and

displaying the URL address to the remote user in response to the query (i.e. as displayed in the user's browser along with the returned advertisement results set)(column 46, lines 15-24) and providing linking to the URL address to view the classified ad via the browser.

Witek also do not teach wherein the telephone identifier was from a print medium. It would have been obvious to one of ordinary skill in the art at the time of the invention, for the remote user to have received the telephone number identifier from a print media source, because Witek teaches that print media for classified ads have long been the average person's first stop in attempting to satisfy their buying or selling needs, as well as providing the most economical and efficient way of letting others know what one has to offer (column 1, lines 24-38).

5. Claims 5-7 and 11-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Witek et al (6,253,188 06/26/01)(Hereafter Witek) in view of eBay as described in reference (1): Archive.org, "eBay.com," 10/13/99, pp. 1-5,

<http://web.archive.org/web/19990922025502/http://www.ebay.com/index.html>,

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<http://web.archive.org/web/19991012093736/pages.ebay.com/search/items/search.html> & reference (2): Joseph Sinclair, "Ebay the Smart Way: selling, buying, and profiting on the Web's #1 auction site," 12/31/99, pp. 1-5, <http://www.netLibrary.com/urlapi.asp?action=summary&v=1&bookid=8549>).

-In regard to dependent claims 5 and 11, Witek does not teach wherein the identifier was a telephone number. eBay teaches wherein the identifier for classified ads could be any seller defined alias (Reference 1: Page 2: "By Seller"), specifically wherein it could be a seller's email address so that people could always contact them as well as see all items currently listed by the specific seller (Reference 2: Page 5: "Alias (Log-In Name)"). It would have been obvious to one of ordinary skill in the art at the time of the invention for eBay to have used a telephone number as their alias, because eBay teaches that by doing so other eBay user's would always be able to directly contact sellers about their ads (Reference 2: Page 5: "Alias (Log-In Name)"). Based on the same reasoning, it would have been obvious for Witek to have also allowed the identifier to be a telephone number.

-In regard to dependent claims 6, 12, and 18, Witek does not teach wherein the telephone number comprises an extension. eBay teaches wherein the identifier for classified ads could be a specific item number associated with a seller alias (Reference 1: Page 2: "By Seller"). eBay does not specifically teach wherein the specific item number was associated with the seller alias via an extension. It would have been obvious to one of ordinary skill in the art at the time of the invention for eBay to have used an extension

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to the telephone number as the specific item number, because eBay teaches that by doing so other eBay user's would not only be directed to the specific item of interest (Reference 1: Page: 2: "By Item Number"), but by being an extension of the alias they would always be able to contact sellers about their ads via the phone number (Reference 2: Page 5: "Alias (Log-In Name)". Based on the same reasoning, it would have been obvious for Witek to have also allowed the identifier to be a telephone number with an extension.

-In regard to dependent claims 7, 13, 21, and 27, Witek teaches wherein the server was further configured to display an advertisement to a user (Abstract)(Figs. 7: 128 & 130) in response user selected selection parameters (column 30, lines 47-57)(Fig. 10). As shown above in the claim dependency, it would have been obvious to one of ordinary skill in the art at the time of the invention for Witek to have used a telephone identifier to select the advertisement to display, because by directly inputting the identifier of the advertisement in a text query field (Fig. 109: 148), the advertisement would be instantly displayed without having to go through the time consuming process of entering the category, sub-category, and multi-parameter selection (Figs. 5-7). In addition, also as shown above, the telephone identifier allowed the user the ability to easily contact the seller's about their ads.

-In regard to independent claims 14 and 22, Witek teaches a method and computer readable medium for selecting online classified ads comprising:

assigning a record identifier (column 6, lines 57-59) to a URL address (defined by the newspaper website server URL)(column 22, lines 15-44);

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providing an online query field (Fig. 10: 148) configured to receive text input (column 29, lines 28-34) from a remote user (Fig. 1: 22); and

displaying the URL address to the remote user in response to the query (i.e. as displayed in the user's browser along with the returned advertisement results set)(column 46, lines 15-24) and providing linking to the URL address to view the classified ad via the browser.

Witek does not teach wherein the identifier was a telephone number. eBay teaches wherein the identifier for classified ads could be any seller defined alias (Reference 1: Page 2: "By Seller"), specifically wherein it could be a seller's email address so that people could always contact them as well as see all items currently listed by the specific seller (Reference 2: Page 5: "Alias (Log-In Name)"). It would have been obvious to one of ordinary skill in the art at the time of the invention for eBay to have used a telephone number as their alias, because eBay teaches that by doing so other eBay user's would always be able to directly contact sellers about their ads (Reference 2: Page 5: "Alias (Log-In Name)"). Based on the same reasoning, it would have been obvious for Witek to have also allowed the identifier to be a telephone number.

Witek also do not teach wherein the telephone identifier was from a print medium. It would have been obvious to one of ordinary skill in the art at the time of the invention, for the remote user to have received the telephone number identifier from a print media source, because Witek teaches that print media for classified ads have long been the average person's first stop in attempting to satisfy their buying or selling needs, as well as providing the most economical and efficient way of letting others know what one has to offer (column 1, lines 24-38).

-In regard to dependent claims 15 and 24, Witek teaches wherein the information from the print media and the online information comprises classified advertisement information (column 4, lines 56-64)(Fig. 8: 132).

-In regard to dependent claims 16 and 25, Witek teaches wherein the information from the print media and the online information comprises news information (columns 23 & 24, lines 44-67 & 1-5)(Fig. 8: 132: Announcements, Employment, etc).

-In regard to dependent claims 17 and 26, Witek teaches wherein the information from the print media and the online information comprises commercial information (columns 23 & 24, lines 44-67 & 1-5)(Fig. 8: 132: "Commercial/Industrial").

-In regard to dependent claim 19, Witek teaches wherein the online query field (Fig. 10: 148) can receive any text input up to 99 characters long (column 29, lines 29-31). Witek does not specifically teach wherein the online query field could receive a telephone number with and extension. eBay teaches wherein the identifier for classified ads could be a specific item number associated with a seller alias (Reference 1: Page 2: "By Item Number"). eBay does not specifically teach wherein the specific item number was associated with the seller alias via an extension. It would have been obvious to one of ordinary skill in the art at the time of the invention for eBay to have used an extension to the telephone number as the specific item number, because eBay teaches that by doing so other eBay user's would not only be directed to the specific item of interest (Reference

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1: Page: 2: "By Item Number"), but by being an extension of the alias they would always be able to contact them about their ads via the phone number (Reference 2: Page 5: "Alias (Log-In Name)". Based on the same reasoning, it would have been obvious for Witek to have also allowed the identifier to be a telephone number with an extension.

-In regard to dependent claim 20, the claim is rejected based on the limitations of the claimed path selected by the examiner. The basis for claim 20 relies on the limitation wherein the telephone number was received without an extension. However, claim 20 depends from claim 19, which allows the selection of either a telephone number with an extension or without an extension. The Examiner has shown above wherein the selection was made for receiving a telephone number with an extension. Claim 20 along with its limitations are thus rendered moot in view of this selection and are summarily rejected. If the Applicant wishes claim 20 to be treated on the merits of the claimed limitations, the Examiner suggests the Applicant amend claim 19 to read: "with **and** without the extension."

-In regard to dependent claim 23, Witek teaches wherein the instructions comprise HTML code (column 22, lines 2-15).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-6,466,917

10-2002

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US-5,745,882

04-1998

Bixler et al.

US-2002/0019768

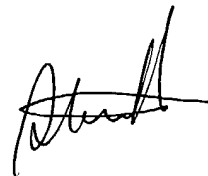
02-2002

Fredrickson et al.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (703) 305-7212. The examiner can normally be reached on M-F: 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ALB

STEPHEN S. HONG
PRIMARY EXAMINER